

REMARKS

Claims 1-16 are pending in the application. Applicants amend Figs. 21-27 and claims 1, 3-8, 11, and 14-16 for correcting minor errors and clarification. No new matter has been added.

The Examiner objected to Figs. 21-27 in the drawings under MPEP § 608.02(g) for failing to designate that which is old as “Prior Art.” Applicants amend Figs. 21-27, with replacement sheets submitted, to add the designation, and respectfully request that the Examiner accept the drawings.

The Examiner objected to claims 1 and 10-11 for a number of alleged informalities.

The Examiner objected to claims 1 and 10-11 for allegedly reciting a feature “for writing ranks to the received cells” that is not supported in the specification. Applicants respectfully submit that claim 1 recites “writing ranking adding means (21c) for adding writing ranks to the received cells,” a feature that is fully supported in the specification. (Emphasis added)

Applicants refer to page 34, lines 9-19 of the specification, where an exemplary embodiment of this feature is described,

“[a]ccordingly, the address table 23 functions as a writing rank adding means to add writing ranks to received cells when the received cells are written in the memory area allocated by the external memory control section 21e.

Concretely, this writing rank signifies a priority at write, and the address table 23 gives a writing rank to a received cell in the order of reception processing thereof. That is, the rank is added in the order of the cell arrival. In this connection, there is another method of adding the writing rank, and this will be described later.” (Emphasis added)

Applicants respectfully submit that one skilled in the art would be able to clearly discern the features recited in claims 1 and 10-11 from reading the specification. Applicants respectfully request that the Examiner withdraw the objection.

The Examiner also objected to claim 1 for the informality of reciting an erroneous reference numeral for the claimed feature of “writing ranking adding means.” Applicants amend claims 1, and 3-7 to correct the noted error, and request that the Examiner withdraw the objection.

The Examiner objected to claim 14 for the alleged phrase “any of said...means.” Applicants amend claim 14 to recite “with one of said first step, said second step and said third step being selectively implemented ” Applicants respectfully submit that the claim distinctly recites the feature of selectively implementing one of three steps, and respectfully request that the Examiner withdraw the objection. Applicants further submit that alternative limitations are acceptable. Please see, e.g., M.P.E.P. § 2173.05(h).

Applicants amend claim 8 to correct the error—the term “sad”—noted by the Examiner.

Claims 15-16 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. In particular, the Examiner objected to the recitation of “receive control section” in claim 15, and presumably claim 16. Applicants amend claims 15-16 to recite

“a receive control section (21c) operable for adding writing ranks on writing in/readout from a memory (22) in correspondence with said path information outputted from said path recognizing section (21a) and for outputting a size of a writing/readout area, a writing/readout position of said variable-length message, and the number of received cells as management information.” (Emphasis added)

Applicants respectfully submit that claims 15-16 clearly recite the features of the claimed “receive control section,” and request that the Examiner withdraw the § 112, ¶ 2 rejection. Correspondingly, Applicants amend claim 11 to replace the term “operable of” with “operable for” for clarification.

Claims 1-3, 6-7, 10, and 15-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,521,915 to Dieudonne et al.; claims 8-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dieudonne et al. in view of Applicants' Admitted Prior Art ("AAPA"); claims 4-5, 11, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dieudonne et al. in view of U.S. Patent No. 5,649,217 to Yamanaka et al.; claims 12-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dieudonne et al. in view of Yamanaka et al., and further in view of AAPA. The Examiner's rejections are respectfully traversed.

The Examiner relied upon the description of a status code CO and a binary word G in Dieudonne et al. as alleged disclosure of "ranking information." The status code CO described in Dieudonne et al. merely indicates, however, one of the following three types of cells:

"00 if this is an expected cell containing synchronous channel octets;
01 if this is an expected cell containing an internal [signaling] message;
10 if this is an unexpected cell and therefore the result of an error." Col. 14, lines 4-9 of Dieudonne et al.

And the portions of Dieudonne et al. cited by the Examiner in connection with this status code CO, col. 14, lines 50+, merely describe the manner in which the three types of cells are handled. As such, contrary to the Examiner's characterization, the status code CO described in Dieudonne et al. merely indicates a particular characteristic of a cell and does not disclose any "ranking information" amongst the cells, let alone the claimed feature "writing rank." Dieudonne et al., as cited and relied upon by the Examiner, describe using the CO to indicate a characteristic of a cell—whether it is an expected cell, etc.—and do not describe adding any "ranking information" on the cell to the CO or anywhere else. Similarly, the binary word G merely indicates "a page address corresponding to the cell in question." Col. 14, lines 21-22 of

Dieudonne et al. And therefore, the mere description of such a binary word does not disclose the claimed feature “writing rank.”

Therefore, Dieudonne et al., as cited and relied upon by the Examiner, fail to disclose or suggest

“receiving means (21b) for receiving cells having path information, said cells being obtained by division of a variable-length message;

message area allocating means (21e) for extracting said path information from the received cells received by said receiving means (21b) to allocate a memory area (22) corresponding to said path information, said memory area (22) being larger than a size of said variable-length message;

writing ranking adding means (21c) for adding writing ranks to the received cells when the received cells are written in said memory area (22) allocated by said message area allocating means (21e); and

storing means (25) for writing the received cells in said memory area (22) according to said writing ranks added by said writing rank adding means (21c),” as recited in claim 1.
(Emphasis added)

Applicants, again refer to page 34, lines 9-19 of the specification for an exemplary embodiment of and support for the above-cited features of claim 1. As noted on page 12, lines 7-11 of the specification, the claimed invention provides for the advantage of dynamic cell write that further reduces the hardware and cost requirements for handling a given load.

Accordingly, Applicants respectfully submit that claim 1, together with claims 2-3 and 6-7 dependent therefrom, is patentable over Dieudonne et al. for at least the above-stated reasons. Claims 10 and 15-16 incorporate features that correspond to those of claim 1 cited above, and are, therefore, patentable over Dieudonne et al. for at least the same reasons. The Examiner relied upon AAPA and Yamanaka et al. as combining references to specifically address the additional features recited in claims 4-5, 8-9, and 11-14, respectively. As such, even assuming, arguendo, that it would have been obvious to one skilled in the art to combine the references, the

combinations would still fail to cure the deficiencies of Dieudonne et al. with respect to the above-cited features of claim 1. Accordingly, Applicant respectfully submits that claims 4-5 and 8-9, which depend from claim 1, are patentable over the cited references for at least the above-stated reasons with respect to base claim 1. Claims 11-14 incorporate features that correspond to those of claim 1 cited above, and are, therefore, patentable over the cited references for at least the above-stated reasons.


The above statements on the disclosure in the cited references represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the respective reference that provide the basis for a view contrary to any of the above-stated opinions.

Applicants appreciate the Examiner's implicit finding that the additional references made of record, but not applied, do not render the claims of the present application unpatentable, whether these references are considered alone or in combination with others.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Dexter T. Chang
Reg. No. 44,071

CUSTOMER NUMBER 026304

Telephone: (212) 940-6384

Fax: (212) 940-8986 or 8987

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IN THE DRAWINGS

Applicants enclose replacement sheets for Figs. 21, 22(a), 22(b), 23, 24, 25, 26, and 27.

Please add the caption "Prior Art" to these figures.